



8-29-06

JW

RCE

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Commissioner for Patents
Mail StopRCE
Alexandria, VA 22313-1450

| | |
|------------------------|--------------------------|
| Application Number | 10/813,585 |
| Filing Date | March 30, 2004 |
| First Named Inventor | Bertram RUPIETTA ET AL-1 |
| Art Unit | 1732 |
| Examiner Name | M. Daniels |
| Attorney Docket Number | RUPIETTA ET AL-1 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. [Submission required under 37 CFR 1.114]

a. [X] Previously submitted

i. [X] Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on July 5, 2006.

(Any unentered amendment(s) referred to above will be entered).

ii. [] Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

iii. [] Other _____

b. [X] Enclosed

i. [X] Amendment/Reply

ii. [] Affidavit(s)/Declaration(s)

iii. [] Information Disclosure Statement (IDS)

iv. [] Other

2. [Miscellaneous]

a. [] Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months: Fee under 37 CFR 1.17(i) required)

b. [X] Other Terminal Disclaimer, Two Month Extension of Time

3. [Fees] The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. [X] The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-2468.

i. [X] RCE fee required under 37 CFR 1.17(e)

ii. [] Extension of time fee (37 CFR 1.136 and 1.17)

iii. [] Other _____

b. [] Check in the amount of \$ 395.00 enclosed

c. [] Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---------------------------|-----------------------------------|-----------------|
| Name (Print/Type) | Elizabeth Collard Richter | Registration No. (Attorney/Agent) | 35,103 |
| Signature | | Date | August 28, 2006 |

CERTIFICATE OF MAILING

08/30/2006 YPOLITE1 00000009 032468 10013585

03 FC:2801

395.00 DA

EXPRESS MAIL NO. EV 884792382 US

Date of Deposit: August 28, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above, and is addressed to the Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kelly Espitia